



Planning and Land Use Committee Report

Date: April 24, 2014 **From:** Lucina Baryluk, Senior Process Planner
Subject: Development Permit with Variances #000344 for 1625 Belmont Avenue

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application for the property located at 1625 Belmont Avenue. This application is to replace the existing stairs and walkways on the north side of the building. Due to changes in regulations since the construction of this building in 1974, this reconstruction triggers a number of variances to the *Zoning Regulation Bylaw* and the property is also now subject to the requirements of Development Permit Area 16, General Form and Character.

The following points were considered in analysing this application:

- The upgrading of the stairs and landing will meet the current *BC Building Code* standards for width, thereby improving Code compliance for safety.
- The material replacements, especially the stairs and railings, will modernize the building exterior and extend the life of the building.
- The setback relaxation has minimal impact as the adjacent land use is a church parking lot and a mature plant buffer is in place between the two properties. Further, the setback variance request is minor (under 2.0 m).
- The variance requests for open site space and parcel coverage are also minor and reflect the current situation.

In accordance with the City's *Land Use Procedures Bylaw*, this Development Permit Application has variances, therefore, it requires a notification, sign posting and a Hearing.

Recommendations

That Council authorize the issuance of Development Permit #000344 in accordance with:

1. Plans stamped "Development Permit Application #000344" dated April 16, 2014.
2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Section 3.3.4 (1) - Relaxation for the maximum site coverage from 30% to 35%
 - Section 3.3.6 (1) - Relaxation for the minimum open site space from 30% to 27%
 - Section 3.3.12 - Relaxation for the internal property line setback (north) from 3.97m to 2.36 m.

Respectfully submitted,

Lucina Baryluk
Senior Process Planner
Development Services

Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:
LB:aw

Jason Johnson

Date:

May 1, 2014

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application for the property located at 1625 Belmont Avenue. This application is to replace the existing stairs and walkways on the north side of the building. Due to changes in regulations since the construction of this building in 1974, this reconstruction triggers a number of variances to the *Zoning Regulation Bylaw* and the property is also now subject to the requirements of Development Permit Area 16, General Form and Character.

2.0 Background and Description of Proposal

The property contains a 12-unit residential building and the original fire exiting stairs at the rear of the building (north side) now need replacement. The existing stairs are constructed of wrought iron and will be replaced by wood treads and risers, aluminium guards and handrails. Due to changes in the *BC Building Code*, the replacement stairs must be wider in width and, therefore, triggering variances to the *Zoning Regulation Bylaw* (see Data Table detail below for details). Portions of the siding will also be removed and will be replaced with new stucco and repainted and the walkways and landings will be resurfaced with a vinyl material.

2.1 Existing Site Development and Development Potential

The property is within the R3-2 Zone, Multiple Dwelling District. This Zone provides for a multiple dwelling development, along with other uses. No further development is contemplated at this time.

2.2 Data Table

The following data table indicates the three areas where a relaxation to the *Zoning Regulation Bylaw* is required. Note that the minimum setback represents the closest distance for both staircases. ("Staircases A and B" as notated on the attached plans.)

Zoning Criteria	Proposal	R3-2 Zone Zone Standard
Site coverage (%) – maximum	35	30
Open site space (%) – minimum	27	30
Setbacks (m) – minimum From internal property line (north)	2.36	3.97

2.3 Land Use Context

The east side of Belmont Avenue is characterized by a number of multiple dwelling units of a similar era. To the north of this property is Saint Barnabas Church and parking lot for the church.

2.4 Legal Description

Strata Lots 1 to 12 inclusive, Section 75, Victoria District, Strata VIS 162, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot shown on Form 1.

2.5 Consistency with Design Guidelines

The subject property is within Development Permit Area 16, General Form and Character. The applicable guidelines are *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (2012)*.

As this proposal consists mainly of the replacement of materials and is an improvement of an existing situation only limited design analysis is warranted. In terms of exterior finishes, the current finishes will be replaced with higher-quality materials that are more durable than the existing finishes. The revised colour palette is appropriate for the building and responds to the mature vegetation along the property boundary.

2.6 Community Consultation

In compliance with the Community Association Land Use Committee (CALUC) Procedures for Processing Variances, the application was referred to the North Jubilee Neighbourhood Association for a 30-day comment period on January 21, 2014. No comments were received at the time of writing this report.

In accordance with the City of Victoria *Land Use Procedures* Bylaw, this Development Permit Application has variances, therefore, it requires notification, sign posting and a Hearing.

3.0 Issues

There are no significant issues associated with this application.

4.0 Resource Impacts

There are no resource impacts anticipated.

5.0 Conclusions

The proposal is necessary for building maintenance and will improve the appearance of the building and extend the life of the building. The increase in the width of the stairs is a result of Building Code requirements. The setback variance does not impact the adjacent property, as the building is adjacent to a church parking lot. In addition, mature vegetation creates a buffer between the two properties. The relaxations for site coverage and open site space are not a concern as they reflect the current situation and are a result of refinements in the interpretation the *Zoning Regulation Bylaw* since the original construction of this building in 1974.

6.0 Recommendations

6.1 Staff Recommendations

That Council authorize the issuance of Development Permit #000344 be issued in accordance with:

1. Plans stamped "Development Permit Application #000344" dated April 16, 2014.
2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Section 3.3.4 (1) - Relaxation for the maximum site coverage from 30% to 35%

- Section 3.3.6 (1) - Relaxation for the minimum open site space from 30% to 27%
- Section 3.3.12 - Relaxation for the internal property line setback (north) from 3.97m to 2.36 m.

6.2 Alternative Recommendation

The Council decline the application.

7.0 List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated April 14, 2014
- Plans dated April 16, 2014.





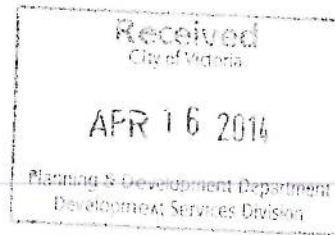
1625 Belmont Avenue
Development Permit #000344



DORAN MUSGROVE ARCHITECT, INC.

April 14, 2014

Mayor Dean Fortin and Council
City of Victoria
#1 Centennial Square
Victoria, BC V8W 1P6



Dear Mayor Fortin and Council:

Re: Exterior Walkway and Stair Repairs to 1625 Belmont Avenue

On behalf of Strata Transcona 162 (Strata), I am applying for a Development Permit as required under Development Permit Act 16, "General Form and Character". Also included in this application is a request for a reduction in side yard setback.

Strata Transcona 162 is a three storey walk-up building of 12 suites (4 per floor). The building was built in the early 1970's. Given that the structure is 40 years old, it is in relatively good condition except for the exterior walkways and stairs on the north elevation. The upgrade of both walkways and the replacement of two sets of stairs (called A and B) are the subject of this Development Permit application with a variance for side yard encroachment.

As noted by the Planning Department, additional variances are required for lot coverage and open site space. However, both variances for site coverage and Open Site Space are marginal and an existing situation since the construction of the building.

The upgrading of both walkways and the replacement of both sets of stairs has resulted in the width of the walkways at both stair locations, as well as both sets of stairs being increased in width to meet the requirements of the BC Building Code, current edition. The increase in width at both stair locations encroaches into the side yard setback, which is the subject of the encroachment setback.

In terms of Development Permit Application 16 "Form and Character" all work occurs to the north elevation only, and includes:

- Both sets of existing stairs to be replaced with new wood risers and treads, similar to the existing stairs, but to the current BC Building Code;
- The existing guards to be replaced with new aluminum guards and handrails. The finish to be 'Rideau Brown';
- The finish of the existing walkways (a non-code compliant mopped on elastomeric finish) to be replaced with a 60 mil vinyl membrane. Colour to be 'Ultra Classic Steel 60';
- The underside of the walkways (stucco) to be repaired where damaged and repainted to match the existing colour (General Paint "Signal Mountain");
- New walkway trim and fascia boards to be painted General Paint "Centaurer";

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DORAN MUSGROVE ARCHITECT, INC.

- 2 -

- Where the walkways have been removed at the central portion of the north elevation, due to the walkway being too narrow (1' 0") for use, the wall finish to be refinished in stucco. The colour to be General Paint 'Signal Mountain';
- As the walkways and stairs form part of the exit requirements for the strata units, the emergency lighting, emergency alarm, pull stations and general lighting will be examined and replaced where deficient.

The existing walkways for the general length, other than the stair locations, do not encroach into the north side yard setbacks. However, both sets of stairs encroach into the north side yard setback by varying amounts:

- Staircase "A" encroaches into the setback 1.47 metres (4' 10") for a length of 5.69 metres (18' 8") including landings. This reduces the setback from 3.97 metres (13' 0") to 2.69 metres (8' 3"). To allow for property line variation at the staircase and construction tolerances, we request a setback of 2.54 metres (8' 4") by 5.69 metres (18' 8").
- Staircase "B" encroaches into the setback 1.47 metres (4' 10") for a length of 5.69 metres (18' 8") including landings. This reduces the setback from 3.97 metres (13' 0") to 2.51 metres (8' 3") to allow for property line variation and construction tolerances. We request a setback of 2.36 metres (7' 9") by 5.69 metres (18' 8").

The decrease in the side yard setback on the north elevation will not impact the adjacent property, currently a parking lot for St. Barnabas Church. The area between the adjacent property and the strata property is heavily screened with mature landscaping. The adjusted location of the new stairs will not impact the landscaping found on the strata property.

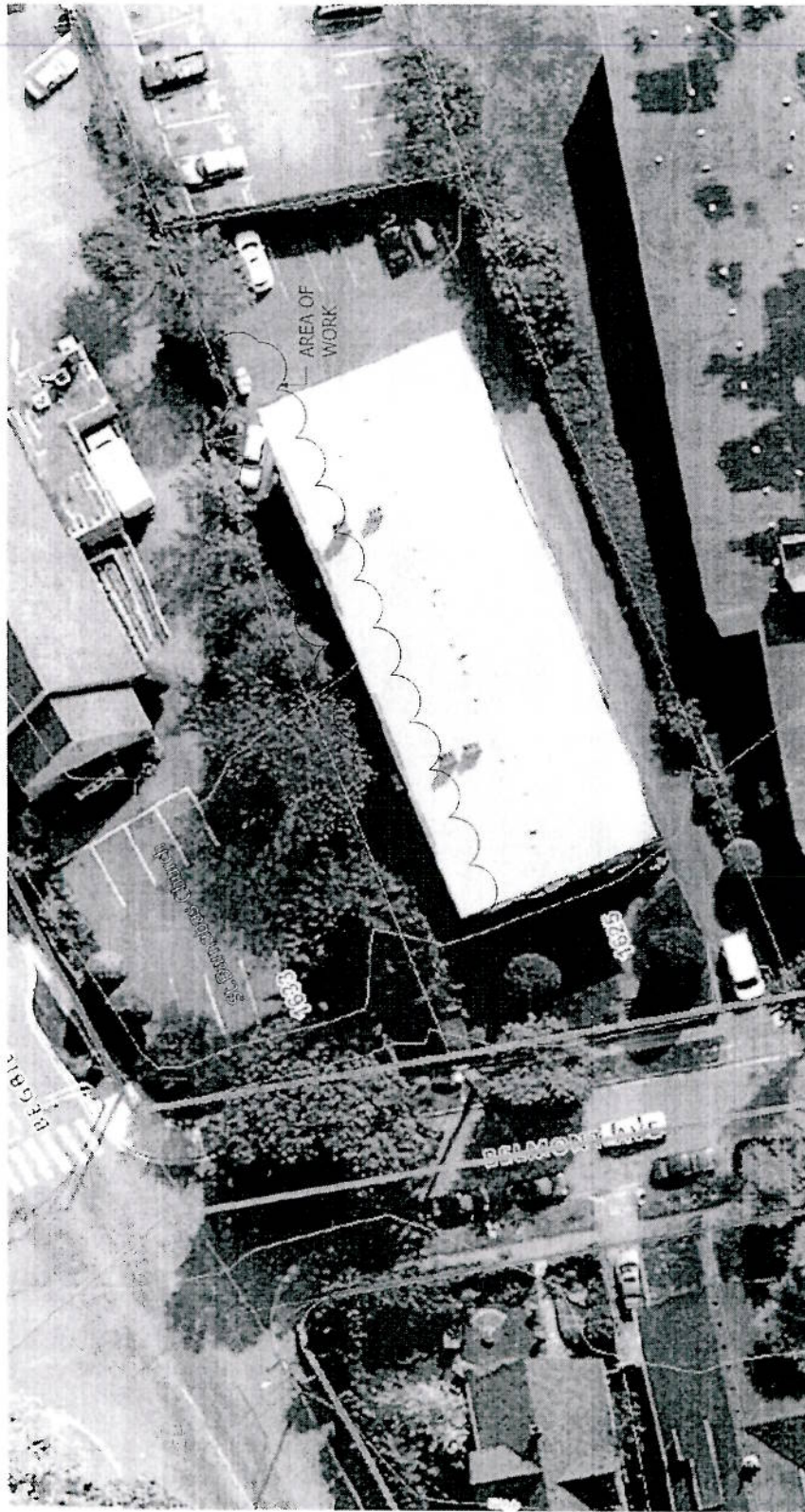
The Strata looks forward to your approval for both the Development Permit and the Variances, which will improve the sustainability of the structure and the safety of the inhabitants.

Yours sincerely,



Doran Musgrove, Architect
AIBC, LEED®AP

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PROJECT TITLE:
Belmont Apartments
1625 Belmont Ave.
Victoria, BC

SHEET TITLE:
Aerial Site Plan
N/A
A1
1 OF 5

PROJECT DATA:	ZONING:
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PROJECT NAME:	250-636-5323
PROJECT TYPE:	250-636-5323
PROJECT STATUS:	250-636-5323
PROJECT DATE:	250-636-5323
PROJECT LOCATION:	250-636-5323
PROJECT CONTACT:	250-636-5323
PROJECT PHONE:	250-636-5323
PROJECT FAX:	250-636-5323
PROJECT EMAIL:	250-636-5323
PROJECT WEBSITE:	250-636-5323
PROJECT SOCIAL MEDIA:	250-636-5323
PROJECT NOTES:	250-636-5323



AERIAL SITE PLAN
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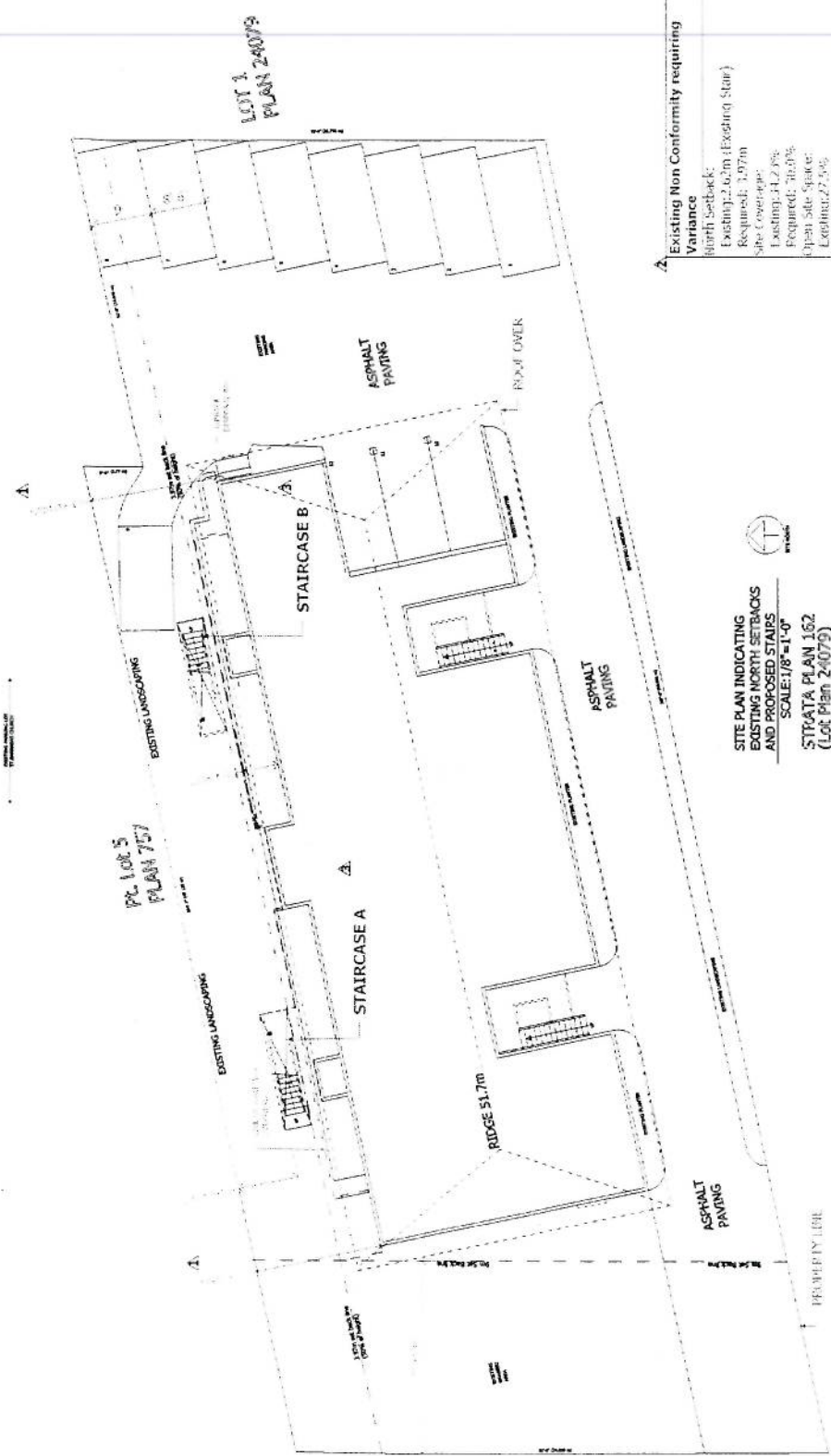
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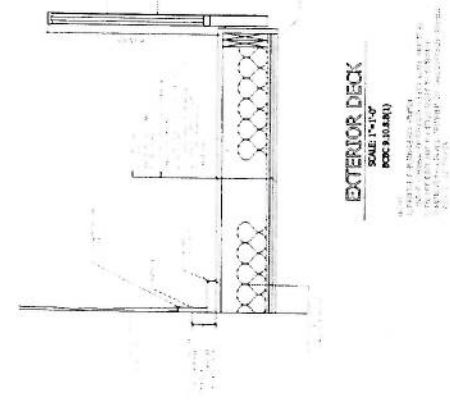
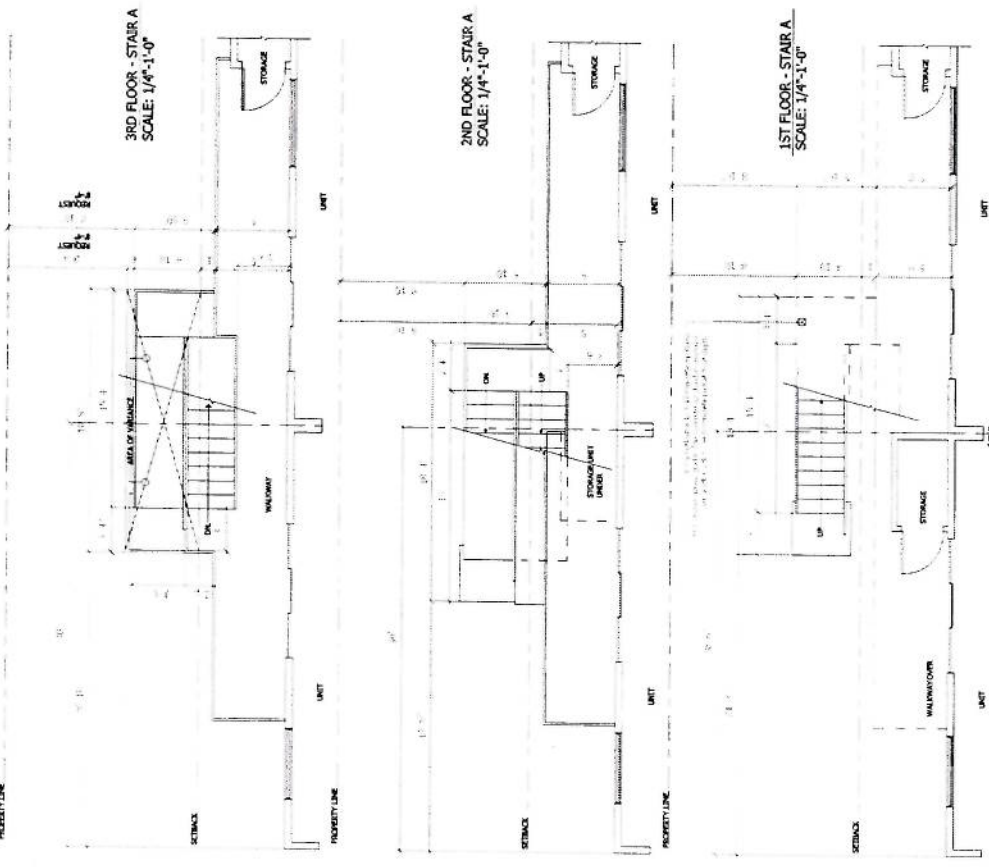
Belmont Apartments
1625 Belmont Ave.
Victoria, BC

SITE PLAN

2 OF 5



<p style="text-align: center;">SITE PLAN INDICATING EXISTING NORTH SETBACKS AND PROPOSED STAIRS SCALE: 1/8" = 1'-0"</p> <p style="text-align: center;">STRATA PLAN 162 (Lot Main 24079)</p>	<p>Existing Non Conformity requiring Variance</p> <p>North Setback: Existing: 2.62m (Existing Stair) Required: 1.97m</p> <p>Side Coverage: Existing: 4.27m Required: 3.09m</p> <p>Open Side Stairs: Existing: 2.75m Required: 3.09m</p>	<p>PROPOSED ADDITIONAL VARIANCE FOR STAIRCASES A & B</p> <p>Staircase "A": Proposed: 1.97m Proposed Existing: 1.97m</p> <p>Staircase "B": Proposed: 3.09m Proposed Existing: 3.09m</p>
<p>SURVEY Survey plan of existing strata subdivision, prepared by Fred Curran and Associates, 100-417 Scott St., Victoria, BC V8W 1S2. File 10339 15.</p> <p>SETBACKS: Front: 11.70m (113.67%) Average Grade: 13.70m (113.57%) Building Height: 7.94m (136.48%) Set back line: 3.97m (113.07) (59% of Building height)</p> <p>FLOOR AREAS: LOT FLOOR AREA: 444.4 sq.m. LOT FLOOR AREA: 444.4 sq.m. LOT FLOOR AREA: 444.4 sq.m. TOTAL: 1332.2 sq.m.</p> <p>LOT AREAS: LOT AREA: 161.7 sq.m. (140.06 sq.m.) SITE COVERAGE: 65.8 sq.m. (27.9%) GARAGE COVERAGE: 14.5 sq.m. (5.9%) TOTAL LOT COVERAGE: 80.3%</p>	<p>CLASSIFICATION & ANALYSIS</p> <p>Group C, up to 3 Storeys (12 Units) per floor Compatible or Non-Combustible construction Floor assemblies shall have a 45 Min. F.R.P. Load bearing walls shall have a 45 Min F.R.P.</p>	<p>PROPOSED ADDITIONAL VARIANCE FOR STAIRCASES A & B</p> <p>Staircase "A": Proposed: 1.97m Proposed Existing: 1.97m</p> <p>Staircase "B": Proposed: 3.09m Proposed Existing: 3.09m</p>



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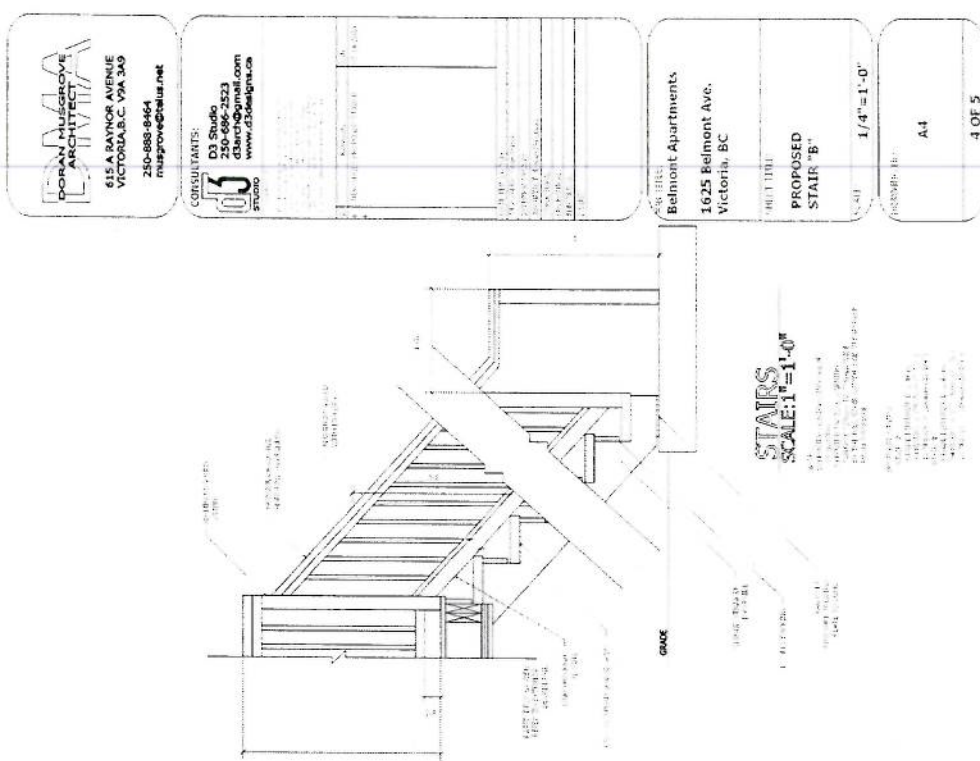
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Victoria, BC

PROPOSED STAIR "A"

1/4"=1'-0"

A3

3 OF 5



NORTH/SIDE ELEVATION
SCALE 1/8"=1'-0"

EAST / FRONT ELEVATION
SCALE 1/8"=1'-0"

WEST / REAR ELEVATION
SCALE 1/8"=1'-0"

PAILING DETAIL
NOTE ON PILING FORM